

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

PLAINTIFF

V.

CRIMINAL NO. 4:15CR00109-001

CLAYTON WOOD WILSON

DEFENDANT

**ORDER ON APPLICATION FOR CHARGING ORDER**

On consideration before the Court is the Application of the United States of America (“Plaintiff”) to the United States of America applies, in accordance with Mississippi Code Ann. §79-29-705, for a Charging Order upon the criminal judgment entered against Defendant, Clayton Wood Wilson.

On May 2, 2016, a criminal judgment was entered against the Defendant in the amount of \$243,736.47, plus interest at the judgment rate compounded annually.

Defendant is a member of 2W Farms. L.L.C.

Pursuant to Mississippi Code Ann. §79-29-705, the Plaintiff is entitled to have the limited liability company interests of the Defendant in 2W Farms, whether the Defendant’s interests in such L.L.C. are held directly or indirectly, charged with the payment of the unsatisfied amount of the criminal judgment entered in this action and that to the extent so charged, Plaintiff should have the rights of an assignee of the Defendant’s L.L.C. interests in and to said L.L.C., whether the defendant’s interests in such L.L.C. are held directly or indirectly.

IT IS THEREFORE, ORDERED AND ADJUDGED that the limited liability company interests of Clayton Wood Wilson, in and to the L.L.C., whether or not such interests are held directly or indirectly, described herein are charged with the payment of the unsatisfied amount of the criminal judgment rendered in this action on May 2, 2016, in the amount of \$243,736.47 together with interest.

IT IS THEREFORE, ORDERED AND ADJUDGED that Plaintiff be entitled to receive all distributions or payments to which the Defendant is entitled or may in the future become entitled to receive from 2W Farms, L.L.C. by virtue of his limited liability company ownership interest in said L.L.C. until said criminal judgment, with interest, is paid in full.

IT IS THEREFORE, ORDERED AND ADJUDGED that until Plaintiff shall receive the distributions or payments from Defendant in the total principal amount of the criminal judgment with any interest then due, Plaintiff shall have the rights of an assignee of Defendant's limited liability company interests in said L.L.C.

IT IS THEREFORE, ORDERED AND ADJUDGED that this Order does not entitle Plaintiff to become or to exercise any voting rights of a member of said L.L.C. or confer upon Plaintiff any rights other than to receive, as would an assignee of the Defendant, such distribution or distributions or other payments as the Defendant would have been entitled to receive by virtue of his applicable interests in 2W Farms, L.L.C.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff shall not be considered a member of said L.L.C. for the purposes of reporting to the Office of Revenue of the State of Mississippi, or to the Internal Revenue Service or to any other federal, state, or local governmental entity.

IT IS THEREFORE ORDERED AND ADJUDGED that all income and other tax consequences, local, state and federal of the Defendant's membership interests in said L.L.C. shall remain the responsibility of the Defendant and no profits, losses, income, gain, deductions, credits or similar items, shall be allocated to or attributed to Plaintiff.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff should not receive any Federal Schedule K-1 forms or Mississippi Partnership, LLC or LLP Schedule K-1 forms.

IT IS THEREFOR ORDERED AND ADJUDGED that Plaintiff should not be liable for the debts or liability of any of the L.L.C. members thereof and shall not be obligated to contribute any money or property to the L.L.C.

IT IS THEREFORE ORDERED AND ADJUDGED that this Order shall remain in place and Plaintiff shall receive all distributions and others payments to which the Defendant would be entitled to receive from such L.L.C. until such time as Plaintiff has collected from the Defendant, either through the Order charging the L.L.C. interests of the Defendant in such L.L.C. as described herein, or otherwise, the entire principal amount of the criminal judgment described herein together with all interest provided for in the criminal judgment.

SO ORDERED AND ADJUDGED this the 17<sup>th</sup> day of April, ~~2016~~ 2017. (54)

  
United States District Judge